

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DIATEK LICENSING LLC,

Plaintiff,

v.

NFL ENTERPRISES LLC,

Defendant.

CIVIL ACTION

NO. 1:21-cv-07241-JPC

Jury Trial Demanded

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendant having not yet filed or served upon Plaintiff either an answer or a motion for summary judgment, Plaintiff hereby dismisses this action without prejudice. According to Rule 41(a)(1)(A)(i), an action may be dismissed by the plaintiff without order of court by filing a notice of dismissal at any time before the opposing party serves either an answer or a motion for summary judgment, neither of which have been filed in this case. Accordingly, Plaintiff voluntarily dismisses this action against Defendant without prejudice pursuant to Rule 41(a)(1)(A)(i).

This 15th day of October, 2021.

/s/ Cortney S. Alexander

Cortney S. Alexander

(GA Bar 142690)

cortneyalexander@kentrisley.com

Tel: (404) 855-3867

Fax: (770) 462-3299

KENT & RISLEY LLC

5755 N Point Pkwy Ste 57

Alpharetta, GA 30022

Attorneys for Plaintiff
Diatek Licensing, LLC